

Regular Meeting of the
Board of TFD Fire Commissioners

DRAFT -- Meeting Minutes -- February 11, 2015
Thompsonville Fire Dept, truck floor, 11 Pearl Street, Enfield, CT

- 1. Call To Order:** by Sec/Treasurer Commissioner Gaskell at 7:06 pm.
2. Roll Call: present was Comm. Reidy, Comm. Stone, Comm. Magistri, and Comm. Gaskell. Absent was Comm. Gillespie. Also in attendance was Department Secretary Kellie Wawer.

MOTION to move #3, Anticipated Executive Session, #4 Possible action regarding Executive Session, and #10 Chief's Report to just before #17 Discussion and Approval of Invoices/Bills made by Comm. Reidy. Seconded by Comm. Gaskell, Discussion: Moved due to being out on a fire call. Roll call, Motion passes, 4-0-1.

- 3. Anticipated Executive Session: a) Personnel Issues b) Pending Claims and Litigation: CGS 7-433c Heart and Hypertension Claims**
4. Possible action regarding Executive Session

5. Public Communications: 15 Minutes

Steve Cogtella, 2 South River Street
Asked what the status is regarding the funding for the new station. He stated that because the Town council voted in favor of the land purchase, that was voted down twice in referendum, he thought they contributed to the situation we are in today. He also thought that the council members had a fiduciary responsibility with the taxpayers and he didn't think they fulfilled that obligation. They were notified, at the time they took that vote, of the financial status that this district was in and the additional hardship that would be put on the district by building a new firehouse. Mr. Cogtella had data supporting this information and would be able to give the Commissioners a copy at the end of the meeting.

Mr. Cogtella asked who was responsible for writing up the plans for the new firehouse and suggested that that person should be responsible for completing the new firehouse.

Mr. Cogtella brought up Comm. Gillespie and his postings on Face book. Mr. Cogtella has been informed that what Comm. Gillespie is saying on face book contradicts what our Commissioners are telling us. He wants to know the truth. For the record, is he lying to us or are the Commissioners lying to us. If he has something to say I would like to have him say it here with supporting documentation.

James Brislin, 43 Oakwood Street
Asked if the District's Insurance Company would cover any legal costs.

6. Commissioner's Communications re: Public Communications

Comm Stone addressed Mr. Cogtella's question. The Commissioners are still going though the figures and as of now we are probably close to \$9-10,000 in the red. The budget will be up on the website shortly once they get all the figures which would show what has been spent. As far as the Station not being complete, the building was designed to be a building, not a firehouse. According to the architect's design all the communication systems were omitted, deliberately from the building. It was in a document that Frank Alaimo signed off on, those are on the website as well. Right in the document it says conduit and boxes for communication systems but does not include the wiring; that was omitted. That is stated in the contract and that is something you can look up right on line.

Comm. Reidy mentioned that regarding the question on Mr. Gillespie will be brought up under number 7.

Comm. Stone responded to Mr. Brislin's question regarding liability insurance to cover legal costs. As of now he understands that there has been a lawsuit filed, but we have never been served so there is no actual lawsuit active in the District.

7. Status of Commissioner Gillespie

MOTION to remove Bob Gillespie as signatory on the accounts and make Mark Magistri as signatory. Made by Comm. Reidy, Seconded by Comm Gaskell. No discussion. Roll call, Motion passes, 4-0-1.

8. Secretary/Treasurer's Report

Comm. Gaskell provided handouts of the current Profit & Loss Budget vs. Actual Transactions.

9. Fire Marshall's Report

None

10. Chief's Report

11. Commissioner's Communications

Comm Reidy mentioned she recently received an e-mail from Councilman Bill Lee asking our consideration to host a dinner for area Churches at our new Station in April. The Commissioners will check with Asst Chief Bill Provencher to see if there would be any issues with this.

12. Old Business a) Discussion and possible action of New Fire Station b) Discussion and possible action of Old Fire Station c) Discussion and possible action of Ordinances and Fire Marshall's Fees d) Schedule Budget Meetings for FY 2015-2016.

a) New Station

Comm. Magistri discussed what he learned from attending the morning meeting at the new Fire Station regarding the remaining issues for completing the building.

b) Old Station

Nothing to Discuss

c) Ordinances/Fees

No action as of yet

d) Budget Meetings

Nothing scheduled yet. Will be revisited beginning of March

13. New Business

None

14. Public Communications: 10 Minutes

Jeff Cross, 116 Enfield Street

Questioned the current budget and was concerned if there was enough money to get us through the rest of the year based on our current obligations.

Steve Cogtella 2 South River Street

Questioned the 1.7 Million short in the pension fund and if anyone has looked into seeing where that money went. He would also like to have a copy of the Pension Plan document.

Karen LaPlante, property owner of 19/21 Russell Street

The Supplemental Grand list is budgeted at \$50,000. She understands that goes out in January and was wondering if the Commissioners knew when that money should be coming in.

15. Commissioner's Communication re: Public Communications

Comm. Stone addressed Mr. Cross's question saying at this time we have expectations that we will be over budget but at this time we don't know how much.

Comm. Reidy responded to Steve they have no answer on the pension and are still looking into it. All information regarding what was suggested to fund by Prudential, what was budgeted, and what was actually funded is available to anyone at the station.

Comm. Reidy responded to Karen by saying the Supplemental is closer to \$56,000 minus 3% and thinks we should be getting that in March.

16. Approval of Minutes from December 4 special meeting, December 10 regular meeting, December 16 special meeting, January 7 special meeting and January 14 regular meeting.

MOTION to table the December 16 minutes. Made by Comm. Gaskell, seconded by Comm. Reidy. Discussion: Comm. Reidy said there were some minor changes. Roll call, Motion passes, 4-0-1.

MOTION to approve December 4, 2014, December 10, 2014, January 7, 2015, and January 14, 2015 minutes. Made by Comm Gaskell, seconded by Comm. Reidy. Roll call, Motion passes, 4-0-1.

Comm. Reidy said that since they are still out on a fire call, *#3, Anticipated Executive Session, #4 Possible action regarding Executive Session, and #10 Chief's Report will not be held this evening.*

17 Discussion and Approval of Invoices/Bills

The commissioners reviewed, discussed and approved checks written.

18. Adjourn

MOTION to adjourn. Made by Comm. Stone, seconded by Comm. Reidy. All in favor by ayes. Adjourned at 8:02 pm.

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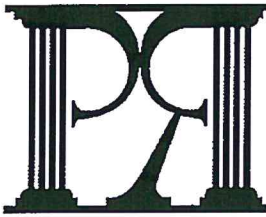
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PACHECO ROSS ARCHITECTS, P.C.

EMERGENCY RESPONSE FACILITIES

DAVID J. PACHECO, AIA – CA, CT, DE, NJ, NY, NC, RI, VT, TN, TX

DENNIS A. ROSS, AIA – CO, CT, ME, MD, MA, MI, MO, OH, PA, NH, NJ, NY, TN, VA, WV

March 31, 2015

Board of Fire Commissioners
Thompsonville Fire District No. 2
11 Pearl Street
Enfield, CT 06082-3501

Attn: Commissioners Reidy and Stone
RE: Meeting Minute Corrections

Dear Board of Fire Commissioners,

Pacheco Ross Architects, P.C. (PRA) has recently seen the publicly posted meeting minutes of the Thompsonville Fire District No. 2 (District) meetings of February 11, 2015 and March 11, 2015. In those meetings there are several statements that need to be clarified. PRA was unaware these items were to be discussed and was not contacted about these specific issues ahead of the meeting and therefore some inaccurate information was included. We ask that these corrections be read into the next meeting of the District in April 2015.

February 11, 2015 – Item #6 *"The building was designed to be a building, not a firehouse. According to the architect's design all communications systems were omitted, deliberately from the building."*

This statement is not accurate. The building is designed to the codes, standards and with the systems typical to an "essential service" fire station facility and to the extent stipulated in the AIA B101 contract between PRA and the District. Select portions of the telecommunication and data systems were included in the Soft Cost portion of the budget instead of the Hard Cost (contractor bid construction cost) portion of the work in order to allow integration with existing system vendors, timely bidding, use of latest technologies and best pricing. This is common practice and is reflected in District project budgets dating back to at least January of 2013 and presented to new District elected officials on several occasions, including on 7/21/14 and 7/28/14. A review of these budgets shows at least \$33,500 should have been available for such systems. The fact that portions of work are in soft versus hard cost categories DOES NOT mean that they were *"omitted, deliberately from the building."* With over 30 fire stations designed and constructed in the last 10 years, PRA knows this to be a typical approach for fire station design budgets and construction.

The main issue affecting the ability to complete the communications systems, and for that matter other items, is the loss of contingency money due to the **\$265,598.19 of additional costs** incurred by the project due to delays related to injunctions filed against the project in 2013. This occurred after the project was originally bid. This figure was documented for the District on May 28, 2014 and verified received by the District on June 2, 2014.

March 11, 2015 – Item #5 *"... information the Town is waiting for from Pacheco"*

And;

"Assistant Chief Provencher said Pacheco thinks this is not information that has to be provided to the Town"

And;

"Mr. Cogtella continued, he wants to know why we are paying the \$5,000 a month when this is between Pacheco and the Town." [Emphasis Added]

And;

"Comm. Stone mentioned that there is a cost to the District of \$5,000 for each month there is a delay in getting into the building"

There appears from these statements to be a misunderstanding of PRA's role and services.

It is extremely important to note two items:

1. PRA has received no direct communication from the Town Building Department about any information they are waiting for from PRA. A January 17, 2015 e-mail from the Fire Marshal asks the contractor for as-built construction drawings on the fire house. On February 23, 2015 when Enfield Builders Inc. (EBI) attempted to arrange delivery of the drawings (which are in their scope of work per the construction documents, and which they have completed) the building department insisted that they be sealed by a professional. EBI contacted PRA for its help.
2. The contract between PRA and the District is clear in Sections 4.1.14 and 4.1.15 that As-Designed and As-Constructed Record Drawings are NOT part of our services.

We object to any statement or characterization that PRA is somehow withholding requested information from the Town or that there is any open issue that exists between PRA and the Town. **This is false.** While as-constructed record drawings are clearly beyond our contracted scope, PRA has attempted to intervene, in good faith, to help resolve the impasse. On 2/23/15, PRA offered to stamp (seal) a substantial compliance document common in other municipalities. EBI indicated that this was rejected by the Town on 2/24/15 and they requested PRA stamp (seal) the drawings. PRA then issued an e-mail to EBI and the District on 2/27/15 explaining in great detail how the request from the Town could not be honored. This included the fact that requesting PRA to stamp the drawings prepared by EBI would be a clear violation of CT General Statutes Chapter 390, Sec. 20-293.

Notwithstanding the fact that as-designed drawings are excluded from PRA's contract, PRA spoke with Assistant Chief William Provencher and agreed to again try to assist the District. PRA indicated that it could provide stamped versions of drawings that were issued by PRA during the construction process to be submitted with the as-builts from EBI. This, it was noted, would not be a violation of CT statutes. These drawings were immediately produced, stamped and rushed to EBI via overnight courier.

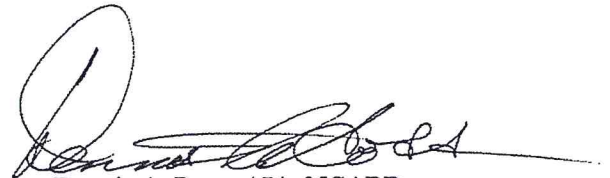
With respect to the statement that *"there is a cost to the District of \$5,000 for each month there is a delay in getting into the building."* **This is not accurate.** There is a pro-rated contractual cost of up to \$8,000 per month for Construction Administration services related to project completion. This is not dependent on a certificate of occupancy or the District occupying the building. The pro-rated costs are for the use of PRA's services outlined in the contract and those specifically related to EBI's construction work and project closeout such as payment requisitions, field visits, meetings, determinations of substantial completion, communications, clarifications etc. The fee is pro-rated so the District is only charged for work completed. **It should be noted for the record (and as outlined in our March 1, 2015 letter to the District) that by contract, PRA is already eligible for eight months of these fees, but has opted to not charge for those.** We do reserve all rights to past fees due and earned, but not invoiced, should the situation change.

We hope that these facts clear up any confusion and inaccuracies.

Sincerely,



David J. Pacheco, AIA, NCARB



Dennis A. Ross, AIA, NCARB

Cc: EBI
Deputy Fire Chief Bill Provencher
Chief Frank Alaimo